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ABSTRACT

Written by students for students, this collection of articles contains students' perspectives on justice, fairness and equity in the lives of young people. The issue provides a vision of the future, strategies for individual involvement, and practical suggestions for initiating change. Specific issues include the rights of minors, discrimination, the role of government, and violence. The students advocate student participation in local school governance, allowing school newspapers more freedom, and increased student community service as possible solutions to community problems. (TSV)

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ED 402 217

Written by Students for Students

UPDATE ON LAW-RELATED EDUCATION

STUDENT EDITION NO. 3

American Bar Association Special Committee on Youth Education for Citizenship

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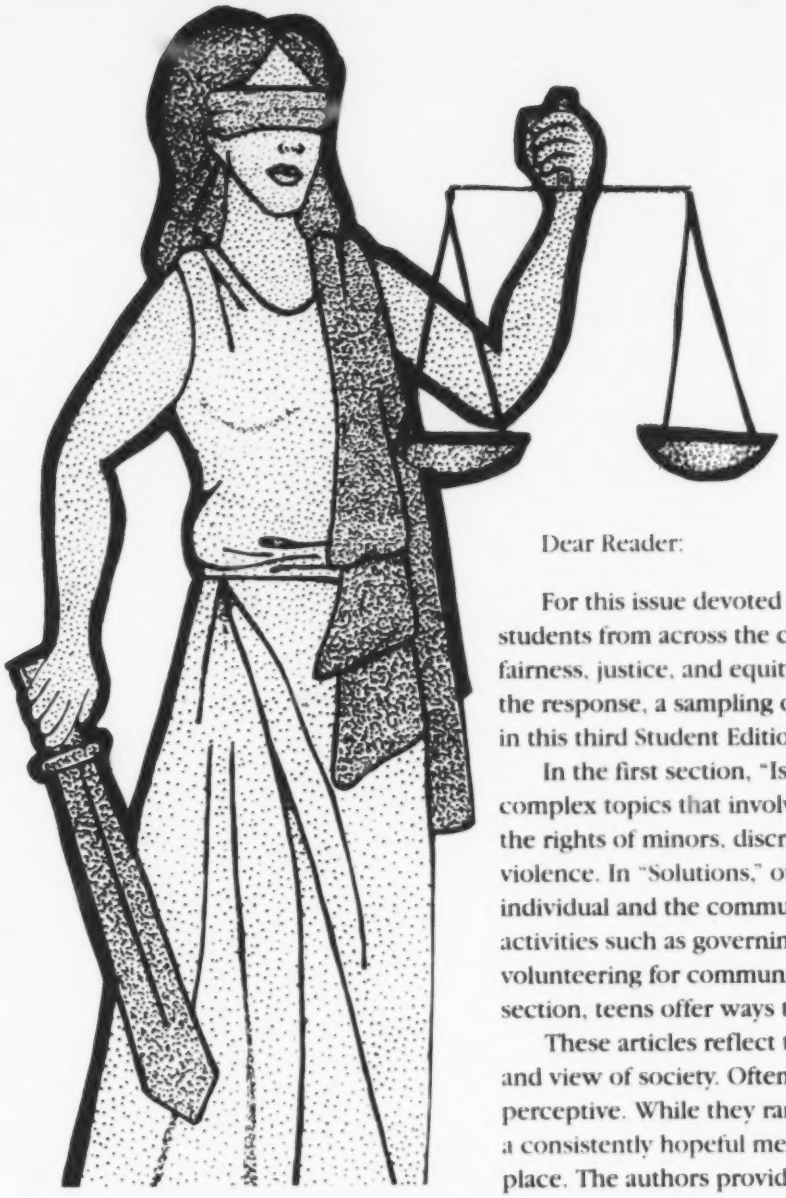

Dear Reader:

For this issue devoted to the theme "Just Solutions," we invited students from across the country to tell us their perspectives on fairness, justice, and equity in their lives. We were overwhelmed by the response, a sampling of which we are pleased to share with you in this third Student Edition of *Update on Law-Related Education.*

In the first section, "Issues," teenagers share their views on complex topics that involve fairness, equity, and justice, including the rights of minors, discrimination, the role of government, and violence. In "Solutions," our authors emphasize the value to the individual and the community of personal student involvement in activities such as governing schools, editing school newspapers, and volunteering for community service. In "Suggestions," the final section, teens offer ways that communities can be more fair and just.

These articles reflect their authors' understanding of the law, and view of society. Often, the articles are extraordinarily perceptive. While they range in style and perspective, they provide a consistently hopeful message: we can make our nation a better place. The authors provide a vision of the future, as well as strategies for individual involvement. And they give practical suggestions for initiating change.

The Student Edition is written by and for students. The student/teacher editorial board deserves much of the credit for this publication. Photographs of the editorial board members accompany the sections they directed. I appreciate the board's willingness to overcome short deadlines, earthquakes in the Southwest, and ice and snow in the Northeast to produce this issue.

The Student Edition accompanies the regular winter issue of *Update on Law-Related Education,* which also focuses on the "Just Solutions" theme and contains further readings on the issues young people explore here. We hope that the Student Edition will be used to spark discussion among students.

Do the students in your school agree with the opinions expressed here? We welcome students' and teachers' responses to the authors, and we will forward any responses you wish to make. As always, any student or teacher wishing to become involved in the next Student Edition may call or write to us for information.

George S. Perry, Jr.
Editor

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JUST SOLUTIONS

A Student Edition of Update on Law-Related Education

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Issues

Young people speak out about fairness, justice, and equity—the list of issues is long

Controversy over Curfew: A "Minor" Perspective

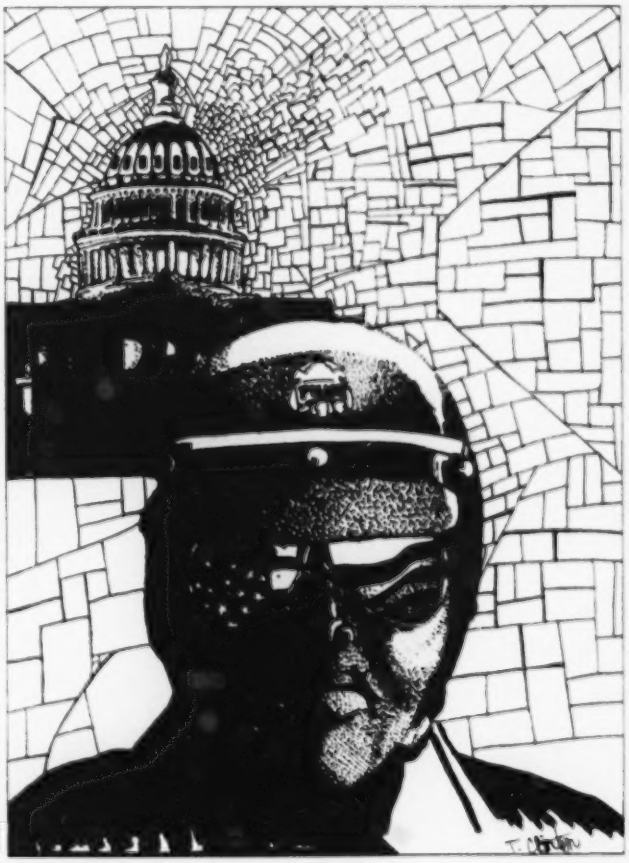
One Seattle teenager's stand against curfew despite persuasive opposing views

Siri Okamoto
Franklin High School
Seattle, Washington

Lately, the debate over whether there should be a curfew for Seattle juveniles has caused me to wonder exactly what my rights are as a minor, to question whether the Constitution allows for exceptions, and to be concerned that society may be willing to compromise young people's rights out of fear and an urge to find the easiest way out.

Violent juvenile crime is escalating, and the public's general concern seems to be focused on this. The majority of adults seem to believe we are to be prosecuted and protected. With this thought in mind, it is easy to understand where the idea of a curfew comes into play. The purpose behind such a restriction is to get minors off the streets, where they have no supervision. Most people like to believe that, as long as juveniles aren't on the streets during the wee hours of the morning, they won't find themselves in any trouble. Those adults who observe a teenager walking down the street at 2 a.m. feel pity yet are still convinced that the young person is a substantial threat. Distrust is hard to overcome.

We must, however, consider the constitutional issues at stake. The Fourteenth Amendment states that all Americans are entitled to "equal protection under the law." Loosely interpreted, this means that all persons will be treated the same unless there is a good reason not to be. How can it be constitutional to take away somebody's freedom based solely on age?



Many adults will point out that there are "good and justifiable reasons" to keep "children" off the streets at night. They will argue that most of the felonies and misdemeanors committed occur after dark and that prohibiting minors from entering or remaining in a public area will only ensure the youths' well-being and cut back on violence and juvenile misconduct.

Then the question as to why adults aren't subject to a curfew arises, as well. Some of the most brutal crimes imaginable are committed by those over 21 years of age, during the dead of night. Who is to say that a minor is more prone to commit a crime than an adult?

The Fourteenth Amendment also states, " . . . nor shall any state deprive any person of life, **liberty**, or property without due process of the law." Under "due process of the law," it is understood that the law must be fair. But what is so fair about the police taking me into custody just because I was out with some friends catching a late movie? By no means have the police proven one way or another that I have committed, or was about to commit, a crime. Just because some teenagers

drink and sell drugs doesn't mean that all do. And I would rather not be seized by a police officer if the only reasonable suspicion is that I am a minor.

Am I too gullible in thinking that, when the Constitution guaranteed rights to all people, juveniles were included? I feel that our rights will be compromised if a curfew law is passed. By not being able to vote, we will have no say as to how our actions should be governed or whether our right to freedom should be so restricted.

If society truly is concerned about curbing youthful crimes, then maybe more time should be spent thinking of suitable solutions to this problem: solutions that uphold minors' constitutional rights and include us as active participants in our future's determination. Furthermore, parents should take responsibility for raising their children and not expect the law to do so for them.

Minors, as adults, have varying perspectives on this issue. Here are a few other Seattle teenagers' viewpoints. The speakers' names have been altered to protect their privacy.

> I agree with having a curfew; we should keep people out of trouble. Many do things during the night that they wouldn't do during the day.
>
> *—C. J., Kings High School*

> I don't believe that [minors] should have to be home, but they should be somewhere doing something productive. If they're going to drag people off the street, there should be some special youth shelter. There may be some legitimate reason why they don't want to be home.
>
> *—S. J., Garfield High School*

> If the problem is that the kids are doing drugs in the street at two in the morning, then shouldn't we focus more on keeping those kids away from drugs in the first place—providing minors with the means of obtaining help if they want it? We could provide those kids with nothing else to do but positive alternatives. Instead of taking them out of the public view, we should provide them with help—if they want it.
>
> *—K. S., Franklin High School*

While many agree that a curfew would have a beneficial impact, it is important to remember that it will not solve all our problems, and it raises grave constitutional concerns that cannot be ignored.

Stopping the Discrimination Cycle

A demonstration of how reverse racism perpetuates racial discrimination

Natalie Frasca
Nashua High School
Nashua, New Hampshire

It is 9:00 a.m. at Nashua High School, and the announcements are about to begin. The principal speaks: "If there are any instances of racism in this school, the offender will be severely punished, suspended, and possibly expelled." At Nashua High, the minorities are always protected. On the other hand, the administrators seem to close their eyes to reverse racism.

Walking from class to class, I mistakenly nudged an African American with my book bag, and he immediately called me "white trash." What would have happened if I had responded in kind? I would have been brought to the principal's office, reprimanded, and suspended. For my own safety, I chose not to respond. Had I chosen to take the offending student to the principal's office, he would have been sent back to class and I would have been told to "let the authorities know if it happens again." People are hesitant to acknowledge that the reverse racism of minorities toward whites helps perpetuate racism.

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McAllen Memorial High School
McAllen, Texas

Reverse racism is not always directed toward whites. In late December 1993, a Boston boy of biracial parents was excluded from a Kwanzaa celebration because he was of mixed blood. His mother had brought him to this celebration of African culture to learn more about his heritage; yet, he was denied the opportunity. Kwanzaa offers an opportunity to learn about and celebrate African culture—to understand something of the history of a group who have contributed greatly to American culture. The Kwanzaa incident is contrary to the basic foundation and fabric of our nation. America is a melting pot that strives to include all people of every race, color, creed, sex, and national origin.

Our society encourages all its people to explore and rejoice in our diverse heritage. Everyone is Irish on St. Patrick's Day, not only descendants of Ireland; and everyone can

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enjoy the feast of St. Anthony, not just the Italians. Christians sit down to Seder with Jews. We do not hear of attempts by the Irish, Italians, Jews, or Native Americans to exclude others from participating in their ceremonies, festivities, or feasts.

Today, there appears to be a growing animosity among many African Americans toward whites. They are focusing on the past atrocities of segregation and slavery. It is time to stop blaming this generation for past ignorance and injustice. Back in the 1960s, our parents went through an age of enlightenment about racism. They made a conscious effort to erase prejudice from their vocabulary. They largely succeeded. Affirmative action programs are in place, and civil rights laws have been enacted to ensure equal opportunities and fair treatment for all. Everyone is a product of upbringing. Most of our parents have taught us to give the disadvantaged a chance and to ignore the color of one's skin. This ideal is difficult to achieve when, at the same time, discrimination against whites is allowed to persist.

Regrettably, racism in our country does exist. The resurgence of neo-Nazis, or skinheads, the Ku Klux Klan, and other bigoted factions is frightening. However, the solution is not for Jews to hate all Germans or Aryans, or for people of color to hate all whites.

The United States is a multicultural nation. Its strengths lie in the diversity of the many people who comprise it and on the premise that everyone is accepted and treated equally. People of many different backgrounds come to this nation, find common interests, and bond together. As with all discrimination, the reverse discrimination being exhibited in our society today has no place in America. In order for the nation to survive and continue to prosper, it is important that we all try to resolve issues of prejudice and learn to appreciate and respect one another's uniqueness.

Fighting Racial Discrimination with Education

A trip to Ghana's slave-holding "castles" strengthens one teen's resolve to end racism

V. J. Fiakpui
University of Chicago Laboratory School
Chicago

A plague of racial discrimination has been dividing our so-called "melting pot" for over 400 years and continues to leave deep scars to this day. People are starting to realize that this is probably our country's greatest problem.

Being a young black male in Chicago, a very segregated city, I have experienced discrimination first hand, although it has not so greatly affected my life as it has so many other African Americans. I have been harassed by the police a few times and stopped for what appears to be no reason other than the color of my skin. Yet, until recently, when I visited two of the former slave-holding "castles" in Ghana, I had never before seen signs of discrimination so vividly.

Upon walking through the castles and the cramped dungeons with little or no ventilation, I nearly wept. Rather than reading about it in a textbook, for the first time I was actually seeing solid evidence of the harsh discrimination present even before blacks reached American soil. The place where I was standing, and the hate such a place could engender, led me to understand more completely our country's racial tension today. As with all forms of discrimination, in most cases racism is caused by simple ignorance of history, science, and humanity. It is natural for people to fear people that look different from them. However, once they realize that this difference is solely because of variation in skin pigmentation, people are more likely to see past these prejudices. Likewise, knowledge of past interactions between the various races can also mitigate prejudice.

Environment is another great factor in acquiring racist ideas. The young tend to take up the same values as their families, friends, and communities. Educating this country's young and impressionable children will balance racist environments. Educated children will be capable of independent thinking rather than carrying out a family's racist traditions. Then, when these children become adults and parents, they will pass on their own set of values to their families.

This approach might show little progress in 10 or 20 years. But, in time, it will become increasingly effective as education becomes more widespread. If we educate today's youth, then I hope the politicians, lawyers, and judges of tomorrow will be much more open-minded and much less racist.

Keeping Liberty in Our Hearts: The Example of Mexico

How poverty and lack of individual power contributed to Mexico's loss of constitutional protections

Andrew Swartz
Fernando Garcia
McAllen Memorial High School
McAllen, Texas

Freedom of the press and the right from unreasonable search and seizure are two well-known protections in the U.S. Bill of Rights. But they are also included in the Mexican constitution, which has a total of 29 protections of individual rights—more than Americans have. Why, then, do we always hear about Mexico violating its citizens' rights?

While living in Mexico, we saw the poor manipulated, elections rigged, and people thrown into jail without cause or even a proper trial. How can a constitution that offers more rights actually give its people so few protections?

Mexico has a large population of people who are just trying to survive. We know a family of seven living in one room divided by a sheet.

The father works in a factory as a janitor, the mother takes care of the grandmother and the youngest child, and the other three children try to find odd jobs to supplement the family income such as selling newspapers or washing windows. They barely manage to scrape together enough money to put food on the table.

The family is focusing all its energy on survival. They don't have the time to sit around and wonder why the government manipulates them. Therefore, if the government infringes on one of their rights, they can't afford the time it takes to protest. This inability to check the government's powers has resulted in widespread political corruption.

An example of political corruption was seen in the last presidential election, when a candidate running against the politically dominant PRI (Institutional Revolutionary Party), which has controlled the government for most of this century, began obtaining a great deal of support. In the middle of his efforts for political change, he died mysteriously in a car accident. Many people questioned how much of an accident it really was.

Judge Learned Hand said, "I often wonder whether we rest our hopes too much upon constitutions, upon laws and courts. These are false hopes; believe me, these are false hopes. Liberty lies in the hearts of men; when it dies there, no constitution, no law, no court can save it." In the midst of political corruption and power abuse, Mexico has a strong foundation. Its constitution offers more rights than our own. Perhaps Judge Learned Hand has explained why, when Mexico's constitution is good, there can be severe governmental problems there.

Because of citizen participation in government and proper representation in the United States, we have upheld the ideals listed in our Bill of Rights. Mexico's abuse of power and the lower class's inability to voice its opinion have led to the abuse of some of their constitutional rights.

In the end, our rights are not written in stone. Without constant vigilance, they can be taken away. The Mexican people's inability to protect their rights has actually led to their losing them. Our participation in government is not just good—it is vital. Without full participation, the citizens have no check on the government. Without regulation, the government can infringe on people's rights.

Note: Fernando Garcia lived in Mexico for eight years and still has relatives who reside there. Andrew Swartz lived in Mexico for three years.

Ginny Thornton
The Learning Collaborative
Dent Middle School
Columbia, South Carolina

Cartoon Violence? I seem to hear so much about cartoon violence. "They" always talk about how violence creeps into children's minds through cartoons. My cartoon depicts a normal kid watching television cartoons without any real violence. Then, watching the evening news, he becomes really violent. I think that some of the most violent and scariest TV material is on the evening news. This is not only because of the material itself but because it is real. There is nothing we can do about this because people need to know what is going on in our world; but I think it is interesting that the media are "downing" cartoons because of violence, when they are the ones really showing it.

Student Voices

Nationwide perspectives on fairness, justice, and equity

As a human being, and a citizen of the United States, I demand that my property and person be secured by my right to privacy, even when I am on school grounds. I maintain that no security guard or search may invade my privacy without reasonable cause, and that no school rule may inhibit my freedom of expression, speech or religion.

—Margaret Franklin, Kingston High School, Kingston, New York

Wealthier communities can better fund their public schools, and thus better educate their students. We like to think that we are attaining the Jefferson ideal of equality in our democratic society, but how can such a claim be made if we do not provide the same quality of education to everyone? The present system of funding should be replaced by one in which all schools are funded equally.

—Adam Desjean, Fitchburg High School, Fitchburg, Massachusetts

Hats are a form of self-expression, just like wearing earrings. . . . Just like everyone else in the world, we should be able to wear hats whenever we want.

—Sheryl Romero, Soveida Garcia, Kenny Tomlinson, Gerardo Andazola, and Chaska Pino, Taso High School, Taso, New Mexico

In my survey of high school students, 50 percent of the females who had been involved with the court felt their trial was fair. All the males felt their trial was fair.

—Holly Brandt, Perry Hall High School, Baltimore, Maryland

There are parents who are sure that they've done something wrong when they discover their child is gay. How is it fair to reject a child because of this? And how can it be fair to condemn a son or daughter because they are not going to live the way that their parents expected they would? I think that the fair thing for these parents to do is to hope that their children will lead happy lives, and not be bothered by whether they are gay or straight.

—Jessica Hogan, Fitchburg High School, Fitchburg, Massachusetts

Some parents may view the explicit lyrics advisory on music as a "danger sign." Though the label was designed to be just that, it is now greatly abused, accompanying any music that contains vulgar language or the slightest hint of violence. In the opinion of many youth, this is going too far.

—Victor Guy, Fitchburg High School, Fitchburg, Massachusetts

Drug dogs are very disruptive to the learning environment. How can students concentrate when the dogs are being led around? Dogs sniff students' lockers and their backpacks. It is very aggravating to students as well as teachers.

—Elizabeth Wallace, Damon Duran, Roxanne Gilbert, Ryan Marsden, and Manuel Otero, Taso High School, New Mexico

I think that video games should be rated. In my opinion, death in video games is acceptable, but the extractions of organs, body parts, and blood in order to kill a character are absurd. To have fun playing a video game, you do not need to disembowel a character.

—Russell Quattlebaum, Dent Middle School, Columbia, South Carolina

In schools, depending on how smart you are or how well you learn, you could be placed anywhere from special education to honors courses. The educators decide what level of learning you are best capable of handling. If you are smart and have been placed in standard classes, then the speed will be too slow and boring for you. If you are slower at learning things and are in a class of higher ability, then you are going to be confused and lost. I see this happening every day, and how for some people the class speed is fair and for several others it isn't.

—Kim Zaiko, Perry Hall High School, Baltimore, Maryland

I surveyed three high school classes concerning the death penalty. The results were extremely surprising to me. Even students known for their pro-life stances on many issues supported the death penalty.

—Elizabeth Sloan, Ridgeway High School, Memphis, Tennessee

In my opinion, there is justice and fairness in our schools because the school district thinks about student safety. Students accused of carrying weapons or selling drugs receive a fair hearing. But, when students are found to be a threat to other students, they are transferred or expelled.

—Stephen Rajan, Olney High School, Philadelphia, Pennsylvania

A lot of people disrespect teens. We are told that everything we do is because of "our age." People sometimes act as if teens are the only people that complain and the only people who worry about pointless things. . . . People need to understand that teens are human, just like everyone else.

—Nicole Detorie, Dent Middle School, Columbia, South Carolina

Why do other people constantly make decisions for us? We are told that we can't watch this movie or listen to this music or read this book because we are too young. Don't adults understand that life is something that you experience as an individual, and everything you do is helping you decide what kind of a person you will become?

—Kristen Hamm, Dent Middle School, Columbia, South Carolina

The argument against distributing condoms is simple: If you give teenagers the tools to go out and do something, they are going to do it; if the tools aren't available, they will think twice. But what happened to the 1.5 million teenage girls last year who got pregnant? Lack of contraception didn't stop them from having sex.

—Kate Bailey, Natroma County High School, Casper, Wyoming

Adolescents are robbed of all their innocence when condoms are freely distributed. They are under severe peer pressure and are undecided on whether or not sex is wrong. When schools distribute condoms, they are saying that it is fine to have sex regardless of the risks.

—Shayna Davis, Natroma County High School, Casper, Wyoming

If the staff is going to make a decision that will reasonably change the students' lives, I think the school should do as much as it can in finding out how the students feel about the decision. . . . The school is for the students, and they should have somewhat of a say about its decision-making processes.

—Laura Fedak, Boulder High School, Boulder, Colorado

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Solutions

How young people become part of the solution to complex problems we face.

A View on Governing Our Schools

A participant's perspective on local school governance

Ellen Uy
John Marshall High School
Los Angeles, California

Every second and fourth Tuesday of each month, I open the faculty lounge door and take the only student seat among a committee of school administrators, teachers, classified employees, parents, and community members. Arranged in a circle, these "shareholders" in my school participate in an organization called School-Based Management (SBM).

SBM is my school's legislative body. It does everything from establishing the school attendance policy to buying a new scoreboard for the football field. It also serves as a forum for the discussion of school issues. SBM was established to develop fairness, justice, and equity among those who really care about the school. There was much fear that administrators and the school district did not have the best interests of the school in mind when they made their decisions. People felt that actual school community members knew what was best for their school.

This system functions on the belief that those most closely affected by decisions ought to play a significant role in making those decisions, and that educational reform efforts will be most effective and long-lasting when carried out by people who feel a sense of ownership and responsibility for the process. Advocates also argue American management expert Peter Drucker's point that "the individual human being at work knows better than anyone else what makes him or her more productive."

On the level that SBM empowers teachers and other employees, it rings true to the Drucker philosophy. But this business philosophy does not work in our school, which is attempting to make both teachers and students more efficient. In actuality, the student body has very little power, wielding only one representative who can never really fully represent the views of a 3,000-member student body. In a system that is supposed to help "provide better services and programs to students" and is based on the philosophy that those affected know best what will work for them, students are grossly underrepresented.

Despite any shortcomings, SBM has solved some inequitable situations at my school. A few years ago, the school underwent some construction. A new building went up on campus. Because of the construction, parking space on campus was cut in half. In order to accommodate as many teachers' cars as possible, student parking on campus was eliminated.

Last year, the new building was opened, and parking spaces were recovered. Yet, student parking on campus was not restored. Several students brought this concern to the senior class president. He spoke to me and we decided to make a proposal about it to SBM. The class president put together the proposal: an application, rules and regulations, eligibility, and a map of the student parking area. When the preliminary work was completed, I placed the proposal on the next meeting's agenda. SBM then referred the issue to its student relations subcommittee. There, it was presented again, and further changes were made to the application, rules, and eligibility. The proposed student parking area was cut in half.

The changes had to be made before the proposal could be approved, so we had to return to another student relations meeting. At that meeting, the subcommittee approved the proposal and sent it back to SBM. At the next SBM meeting, the entire issue had to be represented, and the student parking was finally approved.

This long and arduous process is part of the democratic nature of SBM. As the student parking issue demonstrates, the framework for a fair, just, and equitable system of problem solving within the school is already in place. Now, SBM must take the solution one step farther. The committee membership must include more voting students because they are the most abundant, most important "shareholders" in our school.

Advocating "Free Press" in Schools

An argument for allowing school newspapers to enjoy freedom of the press

Brent Landau
Kingston High School
Kingston, New York

We live, so it is said, in a "free country": a nation of democratic principles and ideals of liberty. The press, as the transmitter of these ideals, is one example from among the cornerstones of our freedom.

Few will argue that the press plays a vital role in society. There seems to be something tangible added to an event when it is displayed and discussed in a newspaper. In our society, there are few active members who are not in contact with the press, in some form, each day of their lives. By *active members*, I mean those who are informed about current events and participate in society as a result of this knowledge.

In our schools, the press and its freedom are as important as, and perhaps more important than, the free press in the rest of society. Some schools do not have a free press or any press at all, and the student voice is censored, distorted, muffled, and sometimes is even stopped.

Fortunately, many schools, including mine, do not subject their press to a censor. These are the true "free-press schools." This is not to say, or course, that the school newspapers do not have a responsibility to monitor, and sometimes even censor, themselves, but this is done internally and without interference from administrators. This is the great responsibility that goes along with freedom of the press.

The press's importance in schools is similar to its importance anywhere in society, and its role is the same: to provide its readers with information. However, the role of the press goes beyond simple information relaying. The newspaper must present its news in the most unbiased way possible, in order to allow its readers to make their own judgments about a particular situation. In addition, a free press provides a forum for opinions, one that is very necessary in schools, where students have little other opportunity to express their views. Therefore, the school newspaper is a vital tool that students need in order to make themselves heard and to make their views understood, if not agreed with, by everyone.

As the editor in chief of my school newspaper, I feel much pride when it is published, knowing that, because of my efforts and those of the newspaper staff, students are able to express their opinions and understand those of fellow students. There is a great pride in knowing that, because of something that I had a part in, I am furthering freedom and justice in my community, the school.

So, the duty of the student press is threefold. First, it must present news impartially, in order to allow

What Other Students Have to Say

Because some individuals gathered their strength and courage and fought to make a change, today all Americans are able to attend any school and support any politician they wish; they are "innocent until proven guilty" and entitled to a lawyer during a trial, no matter what their economic status.

—Kiersten Stiansen, Cranford High School, Cranford, New Jersey

Many families and teenagers are in a constant panic as a result of gang violence. Drive-by shootings are now fairly common, particularly in low-income areas. In response to this terror, my school held a "Gang Day" in which we took a school day to learn about gangs and ways to stay away from them. There were articles on gang initiations, skits about gangs, and we questioned a panel of police officers and others about laws and problems. It was a very meaningful experience. I feel it has made a great impact on students in our school. "Gang Day" would be a fantastic thing for schools countrywide to use to inform students about gangs and the dangers of joining them.

—Tami Smith, Driscoll Middle School, San Antonio, Texas

Through New Hampshire's Mock Trial competition, I learned that justice is not dealt with by elected officials only; it is alive every day in a courtroom. I was tutored by a local district court judge about the responsibilities of a lawyer. As a defense attorney, I learned that to serve justice, my primary responsibility was to uphold my client's rights to a fair trial. From this personal experience, I learned that defending a client with whom I do not personally sympathize is a difficult job.

—Megan Konys, Nashua High School, Nashua, New Hampshire

Community service is a wonderful way to make a positive contribution to society, help others, and maybe have a little fun too. I discovered that I like helping others in an important cause, that I enjoy helping even though the only reward is the satisfaction of knowing something is being done about environmental problems, something that is beneficial to the environment and the community. Knowing that I am part of it is thanks enough.

—Chris Robichaud, Fitchburg High School, Fitchburg, Massachusetts

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unbiased judgment. Second, it must present an open forum, where any student may make personal views known to everyone. Third, it must act as a transmitter of ideas: among students, faculty, and administrators, thus strengthening the school community. When a student press meets these obligations, it fulfills the promise of freedom of the press that the Constitution's framers intended in their view of an ideal society.

The need for a free press may be greater in schools than anywhere else. A free school press provides an outlet for expressing the student voice—in fact, the only outlet. Most high school students cannot vote or serve in government, and often they do not have the opportunity to speak their minds to those who do. A school newspaper allows this student voice to speak out, decry injustices, and work toward "just solutions" for everyone.

Learning by Serving

Real-life lessons are learned in providing equity, fairness, and justice for all

Brendon Paradis
Nashua High School
Nashua, New Hampshire

Fairness, justice, and equity are moral ideals instilled in many children's minds. They encourage a person to be unbiased, impartial, and just. I too was taught these values. Although I have automatically practiced them throughout my adolescence, a community service project made me realize how one actual life experience can make me better understand my convictions.

One requirement for my law-and-ethics class was to become involved in some kind of community service. Because of my interest and prior involvement in basketball, I decided to become a Special Olympics basketball coach. My challenge was to mold these mentally and physically handicapped boys into a functioning athletic unit. I hoped that, at the end of the first practice, each player would have an understanding of the game as well as of his role as a team member.

I soon abandoned this illusion when I saw three players wrestling for one basketball while three other balls lay next to them. The boys' unruliness, accompanied by my lack of training with the mentally and physically handicapped, led to utter chaos. Kids hitting each other, running outside the gymnasium, and disrespecting authority caused me to believe that these challenged children couldn't exhibit the same values that had been instilled in me. It wasn't until I observed two boys having a playful water fight at the water fountain that I realized they were just kids being kids. My goal, then, became not only to form a cohesive basketball unit, but also to help these boys become more socially accepted by others.

I'll be the first to admit that I'm an extremely stubborn person and that changing my jaded attitude toward some of my players wasn't easy. Being athletic and competitive, I had a hard time coaching players who didn't share my sense of fair play. I had to remember to pay an equal amount of attention to each player, regardless of skill or degree of disability. I continued to try to be an ideal coach and acted the same to all the children until the unruliest in the bunch decided he was going to have everything his way. He hit other children and ignored instructions, becoming an unneeded distraction to the rest of the kids. I snapped! All my emotions were released. I screamed at this child about fairness, selfishness, and his disrespect for others.

When I finished, I felt no guilt. I expected the boy to cry and run from the gymnasium, but he didn't. Instead, he said the word I least expected—*sorry!* For the rest of that practice and in future ones, that child was no longer a problem. Along with most of the other players, he was fair and unbiased toward everyone and, for the first time, also toward me.

Looking back on that practice, I realize that, although I treated each handicapped child equally, I didn't treat them as I would have treated nonhandicapped players. Never would I have let a group of physically and mentally able players disrespect me the way those boys had. How could I expect them to exhibit the values of equity, fairness, and justice when I myself hadn't modeled these values? I inadvertently forgave their lack of respect because of their disabilities. That was treating them neither fairly nor equally.

I believe that this community service project has deepened my convictions about the concepts of equity, fairness, and justice in a way no other experience in my life has. I hope that, in the future, I can recall this experience so that I will judge people not as "handicapped," but as human beings who all deserve equal respect.

Suggestions

Often, solutions to challenges can be found in grand ideas. Dreams come true. Here are some teens' recommendations, and wishes, that address dilemmas of our times.

Wish List

Looking toward a more perfect future world

Abena Asare
Jamie Ford
Abby Leonard
Amanda Montgomery
Day Middle School
Newtonville, Massachusetts

As we enter a new century, this is our wish list for our community, our nation, our world.

In fair and just American schools . . .

every child will be born into a family filled with love, eager to meet and nurture the child

there will be no need for gangs to exist, for young people will belong to themselves and their families

there will be many safe places for kids to go in their leisure time to learn and grow as human beings, so they won't have to stay on the streets and get mixed up in trouble

all schools will be safe from drugs, violence, and harassment

all students will have equal access to the newest technology available, so that their ability to learn will not be limited by their family income, but by the limits of their minds

all teachers will be respected and paid at a level proportional to that respect

every child in the country will be able to attend a good school, and the price of a college education will be measured against the value of an educated society

In fair and just American communities . . .

all violence will cease to exist

no drugs will be used, except those that are therapeutic, and the number of those will diminish as researchers find cures for existing diseases and ways to prevent disease in those who are not yet born

nuclear power stations will be shut down and dismantled, and the nation will use more clean solar, hydroelectric, and wind power

there will be equal access for all people, and all public facilities will have special features for the physically challenged so that no one can be deprived of participation

every person will be able to feel safe—anywhere and everywhere

everyone will have the same opportunities to get honest jobs

the homeless will have homes; the hungry, food

we won't have to work at stopping sexual harassment because people's minds will have been changed, and sexual harassment will no longer exist

everyone will learn sign language so that we can all communicate

In a fair and just world . . .

all nuclear weapons will be dismantled so that all children can grow up without fear of nuclear winter

through technology, we will all understand our spoken languages so that there can be more understanding of more people

we will heal the world, make it a better place for you and for me and for the whole human race

we will all treat the Earth with respect, knowing it's the only planet we have got

A Teenage Perspective on Equity

Equity comes in many forms. Equity is like fairness and justice all in one word. It is impartial and unbiased. In theory, it protects everyone under the same law with "blind justice." Equity can be summarized as "equality under the laws of the land."

—Selena Ann Love, Whitehaven High School, Memphis, Tennessee

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Americans United

A plea for individual commitment to helping all Americans

Jenny Delgado
Fitchburg High School
Fitchburg, Massachusetts

What are fairness, equity, and justice? To many, they are what it means to be an American. To immigrants, they stood and still stand for life in a new land, where they will walk on "streets of gold" and never lack anything.

In my opinion, people have forgotten what it means to be fair, equal, and just. Selfishness has destroyed much of the sympathy once felt for our fellow human beings, so much so that we turn our heads when someone asks us for money or a bite of food.

While millions of dollars are spent on space research, millions of people are wandering in our nation's "streets of gold," suffering from hunger, sickness, and the cruelties of nature. While our army is fighting wars in far-off countries, the streets of our cities are made unsafe by combat zones created by gangs. Every day, a reluctant mother somewhere goes off to work and leaves her child home alone because she cannot afford day care or a babysitter. Each year, thousands of high school graduates are robbed of a college education because they lack sufficient funds.

Where does it all end? We must think of others from time to time. I believe in the advancement of our country through research, but, to me, providing people with the basic needs of food and shelter is much more important. Deny yourself one or two hours of your time each week to help in the improvement of others, be it community service work, volunteering in a homeless shelter, or making a donation to a charity.

Americans must unite to make our great nation a better one.

Equality of Success

A call for equal opportunity based on individual choice

Ryan Hankins
Crossett High School
Crossett, Arkansas

America seems to be the most complicated culture in history—a mix of countless cultures, heritages, and lifestyles, where many ideas on life and goals exist. With such a mix of people, equality is one of the key debates in our modern society.

Americans want more and more of the best of everything—to "succeed." How can every member of society succeed when coming from so many backgrounds? The best solution is to guarantee opportunity. Every citizen must be given a chance to compete.

The philosophy of equal outcome is inherently neither equal nor fair. Initially, such principles deprive others of an opportunity. When something is given to one person or group, regardless of merit, someone else loses. Yet, such practices are also unfair to those who receive such benefits. Years of welfare have created a permanent class of poor people, trapped in a bureaucratic governmental system.

Too often, minority students or employees who are part of Affirmative Action programs are seen as the token minority. Even when individuals have earned positions on their own merit, they are thought of as simply filling a quota. The entire quota system weakens the competitiveness of American citizens, schools, and industries. Society cannot and should not attempt to promise success.

How can we move away from a solely equal-outcome-based into an equal-opportunity society? By individual choice. No government program, public policy, or legislation will do the job. There must be a change in the hearts and minds of the people.

Equal Justice Under the Law

Creating a "more perfect union" means that we are committed to reaching elusive goals. Here are a few suggestions for making our society more perfect.

Jonathan Charnin
Molly Lalley
Heather Foster
Kristen Beaman
Sue Skopp
East Kentwood High School
Kentwood, Michigan

Throughout our nation's history, it has struggled to reach the ideal of equal justice under the law. Our Constitution failed to provide it for African Americans, women, and Native Americans. On the Constitution's bicentennial, Justice Thurgood Marshall stated: "We, the people, no longer enslave, but the credit does not belong to the

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framers. It belongs to those who refused to acquiesce to outdated notions of liberty, justice, and equality, and who strived to better them." People have made a difference—and who were these people?

Ohio Representative John Bingham was one. He authored the Fourteenth Amendment, which began the process of bringing state laws in line with the Bill of Rights and making due process of law and equal protection under the law a reality. Thurgood Marshall was another. As head of the NAACP Legal Defense Fund, he won 29 of the 32 cases he argued before the Supreme Court, including *Brown v. Board of Education* in 1954. And the actions of Ernest Green and Elizabeth Eckford in Little Rock, Arkansas, in 1957 led President Eisenhower to bring troops to that city to make sure the Little Rock Nine could safely attend Central High School, as the law insisted.

In many cases, the Supreme Court's decisions have expanded the meaning of equal justice under law. *Gideon*, *Miranda*, and *Mapp* worked to ensure fair treatment for those accused of crimes. More recently, in *Richmond v. Croson* (1989), the Court ruled that strict scrutiny applies to programs that discriminate against *any* race, not just those that have traditionally been discriminated against. Thus, an affirmative action program must prove a "compelling interest" for discriminating against white males.

We suggest that, in order to further enhance equal justice in our society, jury requirements need to be examined. For years, both the prosecution and defense had the right to exclude from the jury a certain number of people. No reason has to be given for such peremptory challenges. For equal protection reasons, however, the Supreme Court held in *Batson v. Kentucky* in 1986 that a race-based exclusion is not permissible. And, in *Powers v. Ohio* in 1991, the Court forbade racial discrimination when the defendant is white.

These decisions could open the door for a flood of new considerations. If the prosecutor in a drunk-driving case feels that the chances for a conviction are better with women on the jury, should the prosecutor be able to exclude men? And what about hearing- and vision-impaired jurors? Should they be able to serve?

The British shipped colonists overseas to face trial. The Sixth Amendment demands both an impartial and a local jury; but these demands are being re-examined, as they should be. Today, a defendant may not want a local jury, if pretrial publicity has prejudiced the local community.

Improving the jury system is one example of ways we can work toward the goal of equal treatment of all people before the law. This may well be an unobtainable ideal. We do not now, nor will we ever, live in a perfect society filled with perfect people. But at least we can strive for a *more* perfect union.

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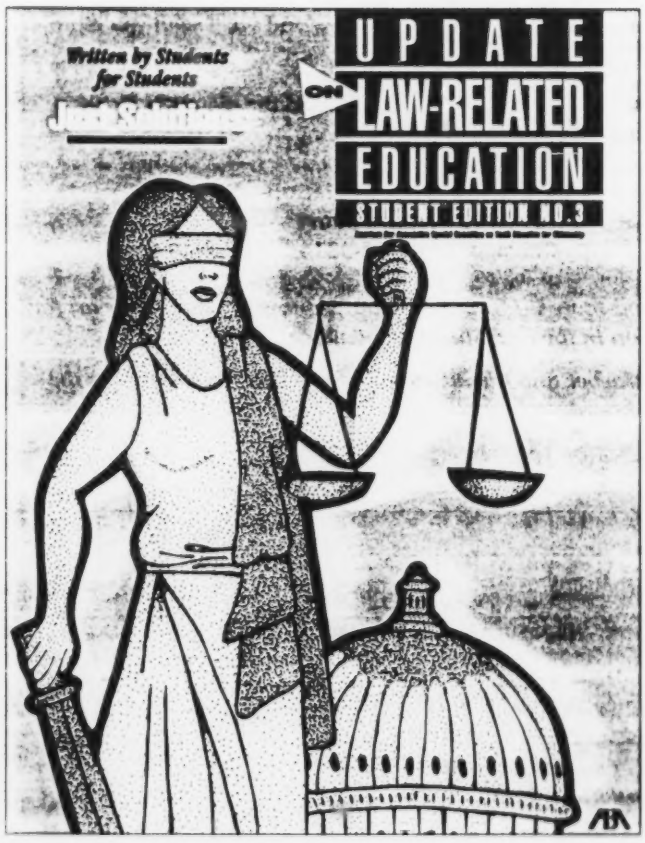

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